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10/668,659

09/23/2003

Joon Park

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05/23/2006

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EXAMINER

HOWELL, DANIEL W

ART UNIT

PAPER NUMBER

3722

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                   |  |
|------------------------------|--------------------------------------|-----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/668,659 | <b>Applicant(s)</b><br>PARK, JOON |  |
|                              | <b>Examiner</b><br>Daniel W. Howell  | <b>Art Unit</b><br>3722           |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.  
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 11-13, 17 and 19-26 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☒ Claim(s) 1, 2, 6, 11, 19, 20 and 25 is/are allowed.  
 6) ☒ Claim(s) 3, 12, 13, 17, 21-24, 26 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. Claims 3, 12, 13, 17, 21-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. These claims as amended are replete with new matter. The following is a listing for each claim of that which was not originally disclosed:

Claim 3: “a channel, a pocket, or a plate having a slot formed therein,” and “a block for said channel, a chunk for said pocket, or a fastener for said slot in said plate, respectively.”

Claim 12: “at least one said guide carrier.” Note that the specification does not disclose that there may be more than one on the rods 94, 96.

Claim 17: “detents, teeth or a turret, wherein said quick engagement is disposed in at least one of said guide carrier, said upright structure or said base.”

Claim 21: “a protrusion or a plurality of lines.”

Claim 22: “detents,” and “a ratchet, or teeth, wherein said determining means is disposed on at least one of said guide carrier, said upright structure or said base.”

Claim 24: “a knob, a clamp handle or a cam connected to a screw, which engages said base with respect to said clamp body, and a nut disposed in said clamp body; one of at least a knob, a clamp handle or a cam connected to at least one bar which engages said clamp body with respect to said base.”

It goes without saying that none of the above structure is shown in the drawings. Since the above items are new matter, the Office will not require that these items be illustrated. Rather, the above subject matter should be canceled from the claims.

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2. Claims 12, 13, 24, and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 12 as amended is confusing. First, it appears as if some sort of phrase is missing after “claim 2.” Note that the phrase presently reads “pocket drilling fixture of claim 2, at least one said guide carrier slidably mounted....” Something is missing there, but it is not clear exactly what. Next, regarding that phrase “at least one said guide carrier,” the guide carrier was previously set forth in claim 1 (such that this constitutes setting forth the same item twice), and the specification does not provide disclosure of there being more than one mounted on the “upright structure.” Claim 24 appears to rename and set forth structure which was previously set forth in claim 1. The “means for clamping the workpiece in-between said first and second clamping faces” appears to be the “clamp actuator” of claim 1. The “clamp unit” of claim 24 appears to only be another name for the “clamp body” of claim 1, and claim 1 has already set forth the “first clamping face” of claim 24. Regarding the phrase in claim 24 “mounted on said base,” claim 1 has already established that the “clamping structure” interengages the clamp body and base, such that this is also setting forth the same structure twice. The “second end of said base” of claim 26 does not have antecedent basis.

3. Claims 1, 2, 6, 11, 19, 20, and 25 are allowed.

4. Claim 26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

5. The examiner will provide a few comments regarding some of the claims and the prior art of record. Throughout the arguments for several of the base references, Applicant has argued that the references do not show drill guides which “angularly intersect” the second clamping

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face, and applicant has argued that the references of record show drill guides which are “normal or perpendicular to the clamping face.” See, for example, the arguments on page 12 regarding Lee et al. A 90 degree angle is still an angle, such that Applicant’s arguments that the applied references do not show a drill guide having an axis which **angularly** intersect the clamping face of the guide carrier simply aren’t correct.

Claim 1 sets forth a clamp body (62) and a “base face,” plus a clamp body (68) having a first clamping face (73). It is noted that the clamp body 62 has two engagement surfaces 90 and 91, but claim 1 has not yet established which one of these is the “base face.” Claim 1 then states that the guide carrier is movably mounted to move “in a substantially perpendicular direction with respect to said base face.” Surface 90 meets that limitation, while surface 91 does not. Thus, it is clear that the “base face” of the claims is the face on the base which contacts the edge of the board which is being pocket drilled. Turning first to Rushton, base plate 42 has only a surface which is parallel to the direction of movement of the guide carrier, such that it can not meet the “substantially perpendicular direction” limitation of line 19 of claim 1. If one attempts to analyze Rushton by considering back 20 as the base, then the analysis falls apart as the guide carrier is not disposed on the base.

The examiner has attached an enlarged copy of figure 1 of Godefroy et al. The clamp surface adjacent bushing 28 has been labeled “A,” and the clamp surface adjacent bushing 30 has been labeled as “B.” Analyzing claim 1, the guide carrier 22 of Godefroy et al does not move perpendicular to either of surfaces A or B; the guide carrier moves parallel to either of the surfaces. Thus, Godefroy et al does not meet the limitation of line 19 of claim 1.

The analysis of Rushton and Godefroy et al also holds for claim 26.

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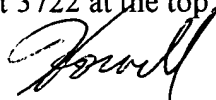
6. Applicant's arguments filed 3-17-06 have been fully considered but they are not persuasive. As discussed above, a significant amount of new matter has been introduced into the claims.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning the content of this communication from the examiner should be directed to Daniel Howell, whose telephone number is 571-272-4478. The examiner's office hours are typically about 10 am until 6:30 pm, Monday through Friday. The examiner's supervisor, Monica Carter, may be reached at 571-272-4475.

In order to reduce pendency and avoid potential delays, Group 3720 is encouraging FAXing of responses to Office actions directly into the Group at FAX number to 571-273-8300. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Daniel Howell of Art Unit 3722 at the top of your cover sheet.

  
Daniel W. Howell  
Primary Examiner  
Art Unit 3722

1,128,970.

APPLICATION FILED NOV. 20, 1912.

Patented Feb. 16, 1911.

Fig. 1.

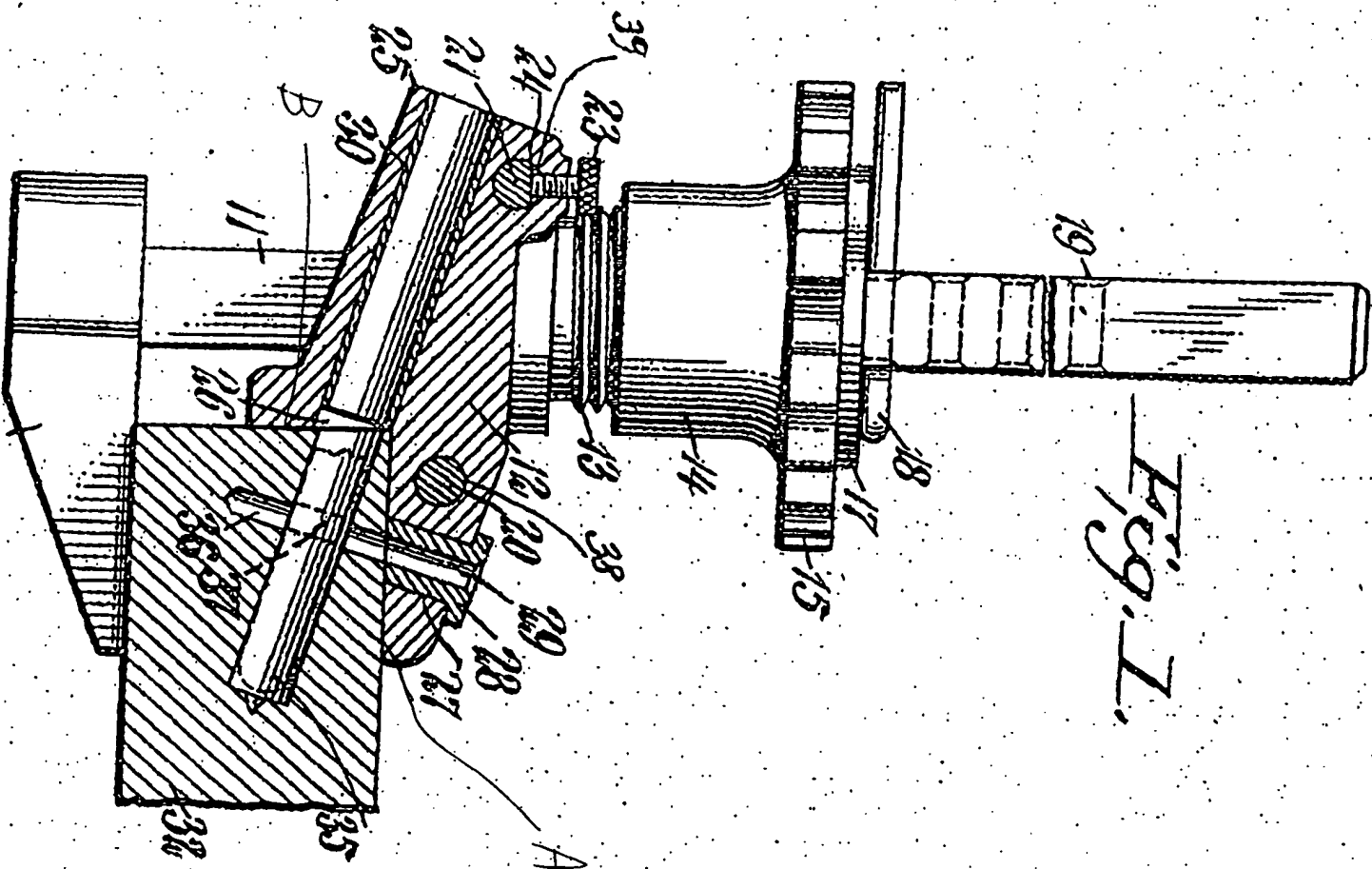


Fig. 2.

